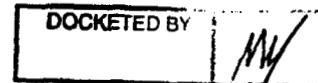


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Arizona Corporation Commission

BEFORE THE ARIZONA CORPORATION COMMISSION**DOCKET****APR 21 1999**

JIM IRVIN
COMMISSIONER-CHAIRMAN
TONY WEST
COMMISSIONER
CARL J. KUNASEK
COMMISSIONER



IN THE MATTER OF THE APPLICATION OF
ERIC SCHULMAN DBA WESTCOIN
COMMUNICATIONS FOR THE SALE OF
ASSETS AND CANCELLATION OF THE
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO PROVIDE CUSTOMER-OWNED
PAY TELEPHONE SERVICE IN THE STATE OF
ARIZONA.

DOCKET NO. T-03273A-99-0125

DECISION NO. 61673**ORDER**

Open Meeting
April 19 and 20, 1999
Phoenix, Arizona

BY THE COMMISSION:

Having considered the entire record herein and being fully advised in the premises, the Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

FINDINGS OF FACT

1. Eric Schulman dba Westcoin Communications ("Applicant") is a sole proprietorship that has a Certificate of Convenience and Necessity ("Certificate") to provide customer-owned pay telephone ("COPT") service in the State of Arizona pursuant to Decision No. 59997 (January 21, 1997).

2. On March 3, 1999, Applicant submitted to Docket Control an application for approval of the sale of assets and cancellation of the Certificate. The application was docketed on March 4, 1999.

3. In Decision No. 55817 (December 10, 1987), the Commission found that COPT providers were public service corporations subject to the jurisdiction of the Commission.

4. Decision No. 57797 (April 8, 1992) adopted A.A.C. R14-2-901 through R14-2-909 to regulate COPT providers.

5. Decision No. 58535 (February 14, 1994) adopted a Generic Tariff that establishes rates and minimum service standards applicable to COPT service.

1 6. Pursuant to A.R.S. § 40-282, the Commission may issue Decisions regarding CO
2 Certificates without a hearing.

3 7. On March 13, 1999, the Commission's Utilities Division Staff ("Staff") filed a Staff
4 Report, recommending approval of the application to sell assets and cancel Applicant's Certificate
5 without a hearing.

6 8. According to Staff, Applicant indicated that the pay telephones were disposed of as
7 worthless and obsolete equipment.

8 **CONCLUSIONS OF LAW**

9 1. Applicant is a public service corporation within the meaning of Article XV of the
10 Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

11 2. The Commission has jurisdiction over Applicant and the subject matter of the
12 application.

13 3. The sale of assets and cancellation of Applicant's Certificate is in the public interest.

14 4. Staff's recommendation in Findings of Fact No. 7 is reasonable and should
15 adopted.

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ORDER

IT IS THEREFORE ORDERED that the application of Eric Schulman dba Westcoin Communications for the sale of assets and cancellation of the Certificate to provide customer-owned pay telephone service shall be, and is hereby, approved.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

COMMISSIONER-CHAIRMAN

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, STUART R. BRACKNEY, Acting Executive Secretary of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 21 day of April, 1999.

Stuart R. Brackney
STUART R. BRACKNEY
ACTING EXECUTIVE SECRETARY

DISSENT _____
BMB:bbs

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